

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 22036-AD22-1212-119

IN THE MATTER OF:)

Steven Messer)
223 Henry Pl)
Angola, IN 46703)

Applicant.)

Type of Agency Action: Enforcement)

License Application #: 1022024)

FILED

AUG 08 2023

STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF LICENSE DENIAL

The Indiana Department of Insurance, pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.* and Indiana Code § 27-1-15.6-12, hereby gives notice to Steven Messer (“Applicant”) of the following Administrative Order:

1. Applicant filed an application for resident producer licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on December 2, 2022, in which Applicant disclosed a pending felony criminal prosecution for fifteen counts of Child Exploitation, Level 4 Felonies in Steuben County, Indiana.
2. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code § 27-1-15.6-6 and Indiana Code § 27-1-15.6-12.
3. Applicant’s December 2, 2022 application includes an agreement to furnish to the Department certified copies of any documents requested by the Department.


4. On February 21, 2023, the Department sent an email to the Applicant requesting information and documentation regarding Applicant's disclosed pending criminal prosecution.
5. The February 21, 2023 email delivery was completed and confirmed via Microsoft Outlook tracking on February 21, 2023; Applicant has not responded.
6. On March 6, 2023, the Department sent a letter via U.S. Postal Service certified mail tracking number 7021 0350 0001 6944 1748 to the Applicant's address of record requesting information and documentation regarding Applicant's disclosed pending criminal prosecution(s).
7. The U.S. Postal Service certified delivery of the March 6, 2023 letter to an individual at the address of record at 3:04 pm on March 13, 2023; Applicant has not responded.
8. On April 20, 2023, and May 16, 2023, the Department sent emails to the Applicant requesting information and documentation regarding Applicant's pending criminal charges. Applicant has not responded.
9. Indiana Code § 27-1-15.6-12(b)(1) provides, in part, that the Commissioner may refuse to issue an insurance producer license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.
10. Following a review of materials submitted by Applicant in support of Applicant's application, the Commissioner being fully advised, now hereby notifies Applicant that Applicant has not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)(1) due to Applicant providing incomplete information regarding Applicant's pending felony charges in Applicant's license application.

11. Indiana Code § 27-1-15.6-12(d) provides that the Applicant may, not more than sixty-three (63) days after notice of denial of the application is mailed, make written demand to the Commissioner for a hearing before the Commissioner to determine the reasonableness of the Commissioner's action.
12. This is considered an administrative action by the Indiana Department of Insurance. If you choose to appeal this administrative action, please follow the aforementioned instructions. Subsequently, after the Department has received your written request for a hearing, the State of Indiana Office of Administrative Law Proceedings ("OALP") will assign an administrative law judge to preside over this matter, and you will receive more information from OALP to begin the administrative process.

IT IS THEREFORE ORDERED that Applicant's request for licensure is hereby **DENIED** pursuant to Indiana Code § 27-1-15.6-12(b)(1) due to Applicant providing incomplete information regarding his pending felony charges in his license application. Applicant may reapply for licensure not less than one (1) year from the date of this order.

8.08.2023

Date Signed



Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution to:

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